

Appln No.: 10/646,436
Amendment Dated: March 23, 2006
Reply to Office Action of January 9, 2006

REMARKS/ARGUMENTS

This is in response to the Office Action mailed January 9, 2006 and the Advisory Action mailed March 2, 2006 for the above-captioned application. Reconsideration and further examination are respectfully requested.

The Advisory Action indicated that claims 4, 14, 31 and 33 were allowable if amended to independent form. Claims 4, 31 and 33 have been so amended, and claim 10 has been amended to include the limitations of claim 14, with the deletion of redundant limitations. The remaining claims, other than claim 11 which depends from claim 10 have been canceled.

This amendment is made without prejudice to Applicants' rights to pursue the subject matter of the canceled claims in timely filed divisional or continuation applications.

In reliance on the Examiner's indication of allowable subject matter, this application is now believed to be in form for allowance. Recombination of the non-elected sequences and allowance of all claims is respectfully requested.

With respect to the Examiner's assertion that the election of a sequence was not an election of species, Applicants note that the Examiner has argued that the grouping of sequences is an improper Markush group. The Examiner has apparently acknowledged that the sequences share a common utility, but has also apparently argued that they do not share a substantial structural feature. The common and substantial structural feature of all of these species is their ability to interact with the known sequence of human clusterin and it is essential to their common utility.

Furthermore, although the claim recites 16 sequences, these are not reasonably divided into 16 separate applications, because in each case the 6 sequences make up 8 sense/antisense pairs. Furthermore, there are structural similarities between the sequences that the examiner has failed to appreciate or acknowledge. For example, comparing the sequences 5 and 7,

cuaauucaauaaaacuguc
uaauucaacaaaacugu

there are apparent similarities and thus also between their complements (seq ID Nos. 6 and 8).
there are apparent similarities.

The number of sequence is less than it was when the restriction requirement was made. Further, the actual number of sequence involved is less than the 16 sequence ID numbers recited.

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This being the case, Applicants respectfully request that restriction be withdrawn with respect to Seq. ID Nos. 1-16 and that claims 4 and 10 be considered and allowed in their entirety.

Respectfully submitted,

A handwritten signature in cursive script, reading "Marina T. Larson", is positioned above a horizontal line.

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